

IN THE CIRCUIT COURT OF HUMPHREYS COUNTY, TENNESSEE  
FOR THE TWENTY-THIRD JUDICIAL DISTRICT AT WAVERLY

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MARK THORNE,

Plaintiff,

vs.

THOMAS CROCKETT, and  
LANDSTAR RANGER, INC.,

Defendants.

Cause No.: 10477

Div.:

Jury Demanded

**FILED**

MAY 19 2022

Edie Stainforth  
Circuit Court Clerk

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**COMPLAINT**

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**COMES NOW** the Plaintiff, Mark Thorne, and would show unto the Court as follows:

**I.**

That your Plaintiff is a resident citizen of Perry County, Tennessee; that your Defendant, Thomas Crockett, is a citizen and resident of Stark County, Ohio; that your Defendant, Landstar Ranger, Inc., is a corporation licensed and authorized to conduct business in the State of Tennessee.

**II.**

That your Defendant, Thomas Crockett, was at all relevant times an agent or employee of the Defendant, Landstar Ranger, Inc., and was acting in the course and scope of his employment and for the benefit of Landstar Ranger, Inc. Therefore, Landstar Ranger, Inc. is liable to Plaintiff for the negligent acts committed by Thomas Crockett pursuant to the doctrine of respondent superior and for any negligence of its own.



### III.

That on or about June 10, 2021, Plaintiff, Mark Thorne, while operating a 2005 BMW Motorcycle bearing license plate 266ZW8, was traveling southbound on Highway 13. That Defendant, Thomas Crockett, while operating a 2011 Kenworth Truck-Tractor bearing license plate 2742052, assumed to be owned by and registered in the name of Landstar Ranger, Inc., was turning north on Highway 13 from the Exit 143 off ramp in Humphreys County, Tennessee, when without warning, Defendant did negligently and carelessly pull out in front of Plaintiff's motorcycle causing both vehicles to collide. That the impact was so great it threw Plaintiff, Mark Thorne, off of his vehicle, thereby causing him to sustain serious injury.

### IV.

Plaintiff charges and alleges that the Defendant, Thomas Crockett, was guilty of the following acts of common law negligence, each and every one of which was a direct and proximate cause of the Plaintiffs resulting damages, to wit:

- a. In failing to devote full time and attention to the operation of his vehicle;
- b. In failing to maintain a proper outlook;
- c. In driving his vehicle too fast under the conditions prevailing;
- d. In failing to use that degree of care and caution as was required under the existing circumstances and conditions for the safety of themselves and others properly upon the aforementioned street;
- e. In failing to control the movement, momentum for direction of travel of his vehicle, or to turn or guide the same, as it was his duty to do so, as to avoid causing a collision to occur, then and thereby injuring Plaintiff.

V.

Plaintiff further charges and alleges that at the time of the accident in question, the following Statutes of the State of Tennessee were in full force and effect and were violated by Defendant, Thomas Crockett and Landstar Ranger Inc.;

55-8-136      Drivers to exercise due care.

- (b) Notwithstanding any speed limit or zone in effect at the time, or right-of-way rules that may be applicable, every driver of a vehicle shall exercise due care by operating the vehicle at a safe speed, by maintaining a safe lookout, by keeping the vehicle under proper control and by devoting full time and attention to operating the vehicle, under the existing circumstances as necessary in order to be able to see and to avoid endangering life, limb or property and to see and avoid colliding with any other vehicle or person, or any road sign, guard rail or any fixed object either legally using or legally parked or legally placed, upon any roadway, within or beside the roadway right-of-way including, but not limited to, any adjacent sidewalk, bicycle lane, shoulder or berm.

55-10-205      Reckless driving.

- (a) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property commits reckless driving.

VI.

As a direct and proximate result of the negligence of the Defendants, and resulting collision, the Plaintiff, Mark Thorne, suffered serious, painful and permanent injuries, and mental anguish; Plaintiff incurred doctor, medical, hospital and other bills in an effort to cure said injuries and will in the future incur such expenses; Plaintiffs capacity for pleasure, business, work and the enjoyment of life have been impaired.

**WHEREFORE, PREMISES CONSIDERED, PLAINTIFF RESPECTFULLY PRAYS:**

1. That proper process issue against the Defendants requiring them to plead and answer.
2. That Plaintiff, Mark Thorne, be awarded compensatory damages in the amount of

TWO HUNDRED THOUSAND and 00/100 (\$200,000.00) DOLLARS.


3. That the Plaintiff be granted whatever other relief, general or specific, this Court deems equitable and just.
4. Plaintiff demands a Jury to try these issues when joined.

Respectfully submitted this 16 day of May, 2022.

By: 

Allen M. Gressett, Esq. (#29187)  
Schwed, Adams & McGinley, P.A.  
88 Union Center  
88 Union Avenue  
11th Floor, Suite 1100  
Memphis, Tennessee 38103  
Telephone: (901) 313-3411  
Facsimile: (901) 577-1400

SCHWED, ADAMS & MCGINLEY, P.A. is surety for the court costs of this cause.

  
\_\_\_\_\_  
SCHWED, ADAMS & MCGINLEY, P.A.

A28093-AB

Humphreys County	<b>STATE OF TENNESSEE</b> <b>CIVIL SUMMONS</b> page 1 of 1	Case Number 104 m
<b>MARK THORNE vs. THOMAS CROCKETT and LANDSTAR RANGER, INC</b>		

Served On:  
 LANDSTAR RANGER, INC. 13410 SUTTON PARK DR S, JACKSONVILLE, FL 32224-5270

RMCS  
 JP Rec'd via  
 JUN 01 2022  
 Service @ LSHQ

You are hereby summoned to defend a civil action filed against you in O. Crockett Court, Humphreys County, Tennessee. Your defense must be made within thirty (30) days from the date this summons is served upon you. You are directed to file your defense with the clerk of the court and send a copy to the plaintiff's attorney at the address listed below. If you fail to defend this action by the below date, judgment by default may be rendered against you for the relief sought in the complaint.

Issued: 5-19-22

[Signature]  
 Clerk / Deputy Clerk

Attorney for Plaintiff: Allen M. Gressett, Esq. / SCHWED, ADAMS & MCGINLEY, P.A.  
88 Union Ave., Suite 1100, Memphis, TN 38103

**FILED**

### NOTICE OF PERSONAL PROPERTY EXEMPTION

TO THE DEFENDANT(S): Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be amended by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for your self and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Please state file number on list.

Mail list to \_\_\_\_\_ Clerk, \_\_\_\_\_ County

### CERTIFICATION (IF APPLICABLE)

I, \_\_\_\_\_ Clerk of \_\_\_\_\_ County do certify this to be a true and correct copy of the original summons issued in this case.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Clerk / Deputy Clerk

**OFFICER'S RETURN:** Please execute this summons and make your return within ninety (90) days of issuance as provided by law.

I certify that I have served this summons together with the complaint as follows: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_  
 \_\_\_\_\_  
 Officer, Title

**RETURN ON SERVICE OF SUMMONS BY MAIL:** I hereby certify and return that on \_\_\_\_\_, I sent postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in the above styled case, to the defendant \_\_\_\_\_. On \_\_\_\_\_ I received the return receipt, which had been signed by \_\_\_\_\_ on \_\_\_\_\_. The return receipt is attached to this original summons to be filed by the Court Clerk.

Date: \_\_\_\_\_ Notary Public / Deputy Clerk (Comm. Expires \_\_\_\_\_)

Signature of Plaintiff \_\_\_\_\_ Plaintiff's Attorney (or Person Authorized to Serve Process)  
 (Attach return receipt on back)

Date Rec: 5-31-22 128 p7  
 ADA: If you need assistance or accommodations because of a disability, please call \_\_\_\_\_, ADA Coordinator, at ( ) \_\_\_\_\_  
 Server: KA 337  
 Date Served: June 1, 2022

Rev. 03/11



C2P 6/6/22 7:37pm

Humphreys County	<b>STATE OF TENNESSEE</b> <b>CIVIL SUMMONS</b> page 1 of 1	Case Number 10477
<b>MARK THORNE vs. THOMAS CROCKETT and LANDSTAR RANGER, INC</b>		

Served On: THOMAS CROCKETT 2847 SWEITZER RD UNIONTOWN, OH 44685-8310 SUMMIT COUNTY

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Issued: 5-19-22

[Signature]  
Clerk / Deputy Clerk

**FILED**

MAY 19 2022

Attorney for Plaintiff: Allen M. Gressett, Esq. / SCHWED, ADAMS & MCGINLEY, P.A.  
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**Edie Stainforth**  
**Circuit Court Clerk**

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Rev. 03/11